

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

KUBO ET AL.

Atty. Ref.: 4034-84

Serial No. 10/560,340

Group: 2871

Filed: December 12, 2005

Examiner: Chen, L.P.

For: LIQUID CRYSTAL DISPLAY DEVICE

\* \* \* \* \*

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**ELECTION UNDER 35 USC §121**

In response to the Office Action dated August 22, 2008, Applicants elect Species I (The specifics being wherein the plurality of unit solid areas each have a shape having rotational symmetry or circular shape (claims 11, 12 and 15) for further prosecution in the event no generic claim is finally held to be allowable. Applicants deem claims 1-10 and 16-33 to be generic. Claims 1-12 and 15-33 are readable on the elected species.

This election is made without traverse. However, since a restriction requirement is never proper unless the restricted group of claims is patentably distinct (i.e., inter alia, non-obvious under 35 USC §103) from the elected group of claims, the Examiner is requested to insure that such patentable distinctness is present before proceeding to make the requirement final.

It is respectfully requested that the non-elected claims be retained.

The Commissioner is authorized to charge the undersigned's deposit account no. 14-1140 in whatever amount is necessary for entry of this Amendment and the continued pendency of the captioned application, including but not limited to any extension of time fees.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,  
**NIXON & VANDERHYE P.C.**

September 22, 2008

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